

FILED  
U.S. DISTRICT COURT  
United States District Court  
District of Maryland  
2015 FEB -6 PM 1:11

UNITED STATES OF AMERICA  
AT BALTIMORE

**JUDGMENT IN A CRIMINAL CASE**  
(For Offenses Committed on or After November 1, 1987)

v. BY \_\_\_\_\_ DEPUTY

HIROSHIGE TANIOKA

Case Number: GLR-1-14-CR-00610-001  
USM Number: N/A  
Defendant's Attorney: David C. Brownstein, Esq. &  
William S. Farmer, Esq. (Retained)  
Assistant U.S. Attorney: Carsten Reichel & Emma  
Burnham

**THE DEFENDANT:**

- ☒ pleaded guilty to count 1 of the Information.  
☐ pleaded nolo contendere to count(s) \_\_\_\_\_, which was accepted by the court.  
☐ was found guilty on count(s) \_\_\_\_\_ after a plea of not guilty.


<u>Title &amp; Section</u>	<u>Nature of Offense</u>	<u>Date Offense Concluded</u>	<u>Count Number</u>
15:1	Conspiracy to Restrain Trade	4/1998 – 4/2012	1

The defendant is adjudged guilty of the offenses listed above and sentenced as provided in pages 2 through 4 of this judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984 as modified by U.S. v. Booker, 125 S. Ct. 738 (2005).

- ☐ The defendant has been found not guilty on count(s) \_\_\_\_\_  
☐ Count(s) \_\_\_\_\_ (is)(are) dismissed on the motion of the United States.

**IT IS FURTHER ORDERED** that the defendant shall notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid.

January 30, 2015  
Date of Imposition of Judgment

  
\_\_\_\_\_  
George L. Russell III Date  
United States District Judge

Name of Court Reporter: Jackie Sovich

DEFENDANT: HIROSHIGE TANIOKA

CASE NUMBER: GLR-1-14-CR-00610-001

**IMPRISONMENT**

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a total term of 18 months.

☒ The court makes the following recommendations to the Bureau of Prisons: that the defendant be designated to the FPC at Taft, California for service of his sentence.

☐ The defendant is remanded to the custody of the United States Marshal.

☐ The defendant shall surrender to the United States Marshal for this district:

☐ at \_\_\_\_\_ a.m./p.m. on \_\_\_\_\_.

☐ as notified by the United States Marshal.

☒ The defendant shall surrender, at his own expense, to the institution designated by the Bureau of Prisons at the date and time specified in a written notice to be sent to the defendant by the United States Marshal. If the defendant does not receive such a written notice, defendant shall surrender to the United States Marshal:

☒ before 2 p.m. on Monday, March 30, 2015.

**A defendant who fails to report either to the designated institution or to the United States Marshal as directed shall be subject to the penalties of Title 18 U.S.C. §3146. If convicted of an offense while on release, the defendant shall be subject to the penalties set forth in 18 U.S.C. §3147. For violation of a condition of release, the defendant shall be subject to the sanctions set forth in Title 18 U.S.C. §3148. Any bond or property posted may be forfeited and judgment entered against the defendant and the surety in the full amount of the bond.**

**RETURN**

I have executed this judgment as follows:

Defendant delivered on \_\_\_\_\_ to \_\_\_\_\_ at \_\_\_\_\_, with a certified copy of this judgment.

\_\_\_\_\_  
UNITED STATES MARSHAL

By: \_\_\_\_\_  
DEPUTY U.S. MARSHAL

**DEFENDANT: HIROSHIGE TANIOKA****CASE NUMBER: GLR-1-14-CR-00610-001****CRIMINAL MONETARY PENALTIES**

The defendant must pay the total criminal monetary penalties under the schedule of payments on Sheet 6.

	<u>Assessment</u>	<u>Fine</u>	<u>Restitution</u>
<b>TOTALS</b>	<b>\$ 100.00</b>	<b>\$ 20,000.00</b>	<b>\$ N/A</b>
<input type="checkbox"/> CVB Processing Fee \$25.00			

☐ The determination of restitution is deferred until Click here to enter a date.. *An Amended Judgment in a Criminal Case* (AO 245C) will be entered after such determination.

☐ The defendant must make restitution (including community restitution) to the following payees in the amount listed below.

If the defendant makes a partial payment, each payee shall receive an approximately proportioned payment, unless specified otherwise in the priority order or percentage payment column below. However, pursuant to 18 U.S.C. § 3664(i), all nonfederal victims must be paid before the United States is paid.

<u>Name of Payee</u>	<u>Total Loss*</u>	<u>Restitution Ordered</u>	<u>Priority or Percentage</u>
	0	0	

**TOTALS**                      \$ 0                      \$ 0

- ☐ Restitution amount ordered pursuant to plea agreement \_\_\_\_\_
- ☐ The defendant must pay interest on restitution and a fine of more than \$2,500, unless the restitution or fine is paid in full before the fifteenth day after the date of the judgment, pursuant to 18 U.S.C. § 3612(f). All of the payment options on Sheet 6 may be subject to penalties for delinquency and default, pursuant to 18 U.S.C. § 3612(g).
- ☐ The court determined that the defendant does not have the ability to pay interest and it is ordered that:
- ☐ the interest requirement is waived for the    ☐ fine    ☐ restitution
- ☐ the interest requirement for the    ☐ fine    ☐ restitution is modified as follows:

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\* Findings for the total amount of losses are required under Chapters 109A, 110, 110A, and 113A of Title 18 for offenses committed on or after September 13, 1994, but before April 23, 1996.

DEFENDANT: HIROSHIGE TANIOKA

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**SCHEDULE OF PAYMENTS**

Payments shall be applied in the following order: (1) assessment, (2) restitution principal, (3) restitution interest, (4) fine principal, (5) fine interest, (6) community restitution, (7) penalties, and (8) costs, including cost of prosecution and court costs.

Payment of the total fine and other criminal monetary penalties shall be due as follows:

- A ☒ **Special Assessment to be paid in full immediately;** or
- B ☐ \$\_\_\_\_\_ immediately, balance due (in accordance with C, D, or E); or
- C ☒ **Fine in the amount of \$20,000.00 shall be paid before the 15<sup>th</sup> day after the date of this judgment.**
- D ☐ Installments to commence \_\_\_\_\_ day(s) after the date of this judgment.
- E ☐ In \_\_\_\_\_ (*e.g. equal weekly, monthly, quarterly*) installments of \$\_\_\_\_\_ over a period of \_\_\_\_\_ year(s) to commence when the defendant is placed on supervised release.

The defendant will receive credit for all payments previously made toward any criminal monetary penalties imposed.

Unless the court expressly orders otherwise, if this judgment imposes a period of imprisonment, payment of criminal monetary penalties shall be due during the period of imprisonment. All criminal monetary penalties, except those payments made through the Bureau of Prisons Inmate Financial Responsibility Program, are to be made to the Clerk of the Court.

If the entire amount of criminal monetary penalties is not paid prior to the commencement of supervision, the balance shall be paid:

- ☐ in equal monthly installments during the term of supervision; or
- ☐ on a nominal payment schedule of \$\_\_\_\_\_ per month during the term of supervision.

The U.S. probation officer may recommend a modification of the payment schedule depending on the defendant's financial circumstances.

Special instructions regarding the payment of criminal monetary penalties:

- ☐ Joint and Several

Defendant and Co-Defendant Names and Case Numbers (including defendant number), Total Amount, Joint and Several Amount, and corresponding payee, if appropriate.

- ☐ The defendant shall pay the cost of prosecution.
- ☐ The defendant shall pay the following court cost(s):
- ☐ The defendant shall forfeit the defendant's interest in the following property to the United States: